

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT SANGO,

Plaintiff,

CIVIL ACTION NO. 13-12808

v.

DISTRICT JUDGE ARTHUR J. TARNOW

DAPHNE JOHNSON, et al.,

MAGISTRATE JUDGE MARK A. RANDON

Defendants.

REPORT AND RECOMMENDATION TO DENY WITHOUT PREJUDICE
PLAINTIFF'S MOTIONS FOR TEMPORARY RESTRAINING ORDER
(DKT. NOS. 25, 26, 30, 32, 39, 48)

This matter is before the Court on Plaintiff Robert Sango's motions for temporary restraining order (Dkt. Nos. 25, 26, 30, 32, 39, 48). Sango requests an order requiring correctional officers and ARUS Ault to have him tested by health services; stop destroying his property; stop denying him legal materials, showers, and hygiene items; and, stop removing food from his tray, assaulting him, putting human waste and bodily fluids in his food, isolating him in his cell, and harassing him. The Court held a telephone conference on February 24, 2014 with Sango, ARUS Ault, and Allan Soros.

After hearing argument from both sides, this Magistrate Judge **RECOMMENDS** that Sango's motions be **DENIED WITHOUT PREJUDICE**. However, the following relief should be provided:

1. ARUS Ault should be ordered not to retaliate against Sango;
2. ARUS Ault should be ordered to instruct the correctional officers under his control not to retaliate against Sango;

3. During the pendency of this case, Sango should be ordered to request the legal supplies he needs from ARUS Ault or his successor;
4. ARUS Ault should ensure Sango's reasonable requests for the legal supplies he needs to prosecute this case are granted; and,
5. ARUS Ault should be ordered to ensure Sango receives the appropriate health care pursuant to MDOC policy.

The parties to this action may object to and seek review of this Report and Recommendation within fourteen (14) days of service of a copy hereof as provided for in 28 U.S.C. § 636(b)(1). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985); *Frontier Ins. Co. v. Blaty*, 454 F.3d 590, 596 (6th Cir. 2006); *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005). The parties are advised that making some objections, but failing to raise others, will not preserve all the objections a party may have to this Report and Recommendation. *McClanahan v. Comm'r Soc. Sec.*, 474 F.3d 830 (6th Cir. 2006) (internal quotation marks omitted); *Frontier*, 454 F.3d at 596-97. Objections are to be filed through the Case Management/Electronic Case Filing (CM/ECF) system or, if an appropriate exception applies, through the Clerk's Office. E.D. Mich. LR 5.1. A copy of any objections is to be served upon this Magistrate Judge but this does not constitute filing. E.D. Mich. LR 72.1(d)(2). Once an objection is filed, a response is due within fourteen (14) days of service, and a reply brief may be filed within seven (7) days of service of the response. E.D. Mich. LR 72.1(d)(3), (4).

s/Mark A. Randon
Mark A. Randon
United States Magistrate Judge

Dated: March 4, 2014

Certificate of Service

I hereby certify that a copy of the foregoing document was served on the parties of record on this date, March 4, 2014, by electronic and/or first class U.S. mail.

s/Eddrey Butts

Case Manager to Magistrate Judge Mark Randon